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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/677,879	09/30/2003	Fu Chang Peng	113AAM	9690
7590	10/05/2004		EXAMINER	
Fu Chang Peng P.O. Box 10-69 Chong Ho Taipei, 235 TAIWAN			BOSWELL, CHRISTOPHER J	
			ART UNIT	PAPER NUMBER
			3676	

DATE MAILED: 10/05/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	10/677,879	PENG ET AL.
Examiner	Art Unit	
Christopher Boswell	3676	

— The MAILING DATE of this communication appears on the cover sheet with the correspondence address —  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) Responsive to communication(s) filed on \_\_\_\_\_.
- 2a) This action is **FINAL**.                                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-10 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 30 September 2003 is/are: a) accepted or b) objected to by the Examiner. Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a). Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
  1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)	4) <input type="checkbox"/> Interview Summary (PTO-413)
2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)	Paper No(s)/Mail Date. _____
3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date <u>9/30/03</u> .	5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)
	6) <input type="checkbox"/> Other: _____.

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-10 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent Number 5,169,184 to Bishop, in view of U.S. Patent Number 5,551,736 to Fann et al.

Bishop discloses the invention substantially as claimed. Bishop discloses a door latch assembly having a housing (30) including a chamber (between elements 31 and 32) and an opening (33) formed therein and communicating with each other, a dead bolt (110) slidably received in the chamber and the opening of the housing, and movable in and out of the opening of the housing, a follower (90) slidably received in the chamber of the housing, and coupled to the dead bolt, for moving the dead bolt relative to the chamber and the opening of the housing, the follower including a groove (106a) formed therein, and defined between two levers (101), and an actuator (60) rotatably received in the housing, and each including an actuating finger (61 and 62) engageable with the levers of the follower, for selectively actuating the levers of the follower to move the dead bolt relative to the housing, when the actuators are rotated relative to the housing. However, Bishop does not disclose two actuators received in the housing. Fann teaches of two actuators (5 and 6), each having at least one finger (52 and 62, respectively) engageable with levers (33) of a follower (3), for selectively actuating the lever of the follower to

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move a dead bolt (12) in the same field of endeavor for the purpose of having a variable backset latch assembly to facilitate adjustments between the two standard backset lengths (column 1, lines 49-52). It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate a second actuator as taught by Fann in order to have a variable backset latch assembly to facilitate adjustments between the two standard backset lengths.

Bishop also discloses each of the levers of the follower includes a lower portion (97 and 98) having a first seat provided thereon the thereof, and an upper portion (94 and 95) having a second seat provided thereon, for selectively engaging with the at least one actuating fingers of the actuators respectively, as in claim 2, as well as each of the actuators having an engaging hole (64) formed therein for receiving rotating tools, as in claim 3, and where the housing includes a couple of arms (50 and 51) extended therefrom and having an orifice (34) and an aperture (35) formed therein to rotatably receive the actuators respectively, as in claim 4.

Additionally, Bishop does not disclose a block to rotatably receive the actuator. Fann teaches a door latch assembly having a block (4) including an orifice (41) and an aperture (43) formed therein to rotatably receive the actuators respectively, as in claim 5, an arm of a housing (2) includes a depression (24) formed therein, and the block has a bulge (92) extended therefrom for engaging into the depression of the housing, and for anchoring the block to the housing, as in claim 6, and a cap (figures 9 and 10) provided on the block for engaging with the levers of the follower, and for anchoring the block to the housing, as in claim 7 in the same field of endeavor

for the purpose of cooperating with the lock body to retain the deadbolt securely on a door panel (column 3, line 66-column 4; line 4). It would have been obvious to one with ordinary skill in the art at the time the invention was made to incorporate a block having an orifice and an aperture formed therein to rotatably receive the actuators, an arm of a housing having a depression, and the block having a bulge for engaging into the depression, and for anchoring the block to the housing, and a cap provided on the block for engaging with the levers of the follower, and for anchoring the block to the housing of Bishop in order to cooperate with the housing to retain the deadbolt securely on a door panel.

Bishop further discloses a stud (on element 51, figure 7) on the housing and engaged into the groove of the follower, to guide the follower to move relative to the housing, as in claim 8, and where the follower includes a pair of shoulders (102 and 103) formed therein, to engage with the housing, and to limit a movement between the follower and the housing, as in claim 9, and the dead bolt has a plate (112) extended therefrom and having a passage (figure 7) formed therein, the follower includes a hook (92) extended therefrom, and slidably engaged through the passage of the plate, and engageable with the plate, for moving the plate and the dead bolt relative to the housing when the follower is moved relative to the housing by either of the actuators (column 4, lines 3-20), as in claim 10.

***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following patents are cited to further show the state of the art with respect to dead bolt latch assemblies:

U.S. Patent Number 6,688,660 to Huang, U.S. Patent Number 6,536,816 to Fan, U.S. Patent Number 6,186,562 to Huang, U.S. Patent Number 6,030,008 to Chang, U.S. Patent Number 5,620,211 to Ellis, U.S. Patent Number 5,613,715 to Kim, U.S. Patent Number 5,490,695 to Shiue.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Christopher Boswell whose telephone number is (703) 305-4067. The examiner can normally be reached on 8:30 - 5:00 M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Daniel P. Stodola can be reached on (703) 308-2686. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



CJB  
September 28, 2004

DANIEL P. STODOLA  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3600